

SCMPD GENERAL ORDER**OPERATIONS**

GO # OPS-067	EFFECTIVE DATE: 01/16/2015
BODY WORN CAMERA	01/15/16
	05/27/16
	11/17/16
	01/19/17

PURPOSE

The purpose of this directive is to establish a policy regarding the use of department issued body worn cameras and to establish a policy regarding the storage, release, and retention of information captured by the Taser Axon Flex Body Worn Camera. (CALEA 41.3.8 a)

POLICY:

It shall be the policy of the Savannah Chatham Metropolitan Police Department to utilize the Body-Worn Camera (BWC) equipment to document law enforcement interaction with the public with video and audio recordings. Such documentation serves many benefits to include documentary evidence to an arrest or citation, resolution of allegations of officer misconduct and support for officer training. Through the use of mobile recording systems, this agency will better protect the rights of citizens and police officers while balancing privacy interests. (CALEA 41.3.8 a)

DEFINITIONS:

Body-Worn Camera (BWC): A recording system that captures audio and video that is individually worn by officers and includes, at a minimum, a camera and recorder.

Buffering: Is the thirty seconds of video prior to activation of the BWC event mode held in temporary storage.

Evidence Transfer Station: A docking station that recharges the Axon Tactical Computer (ATC) while uploading to Evidence.com all data captured from the BWC operator's point of view during the operator's shift.

Evidence.com: The online web-based digital media storage facility accessed at www.evidence.com. The virtual warehouse stores digitally encrypted data (photographs, audio and video recordings) in a highly secure environment.

Program Manager: Is SCMPD's Planning and Information Technology Commander.

Mobile Video System Administrator(s): Department member(s) with full administrator rights who assigns and tracks equipment, controls passwords, acts as liaison with Taser Axon representatives and is the department's subject matter expert on all body-worn devices.

Meta Data: This is information that is typed in by the officer that identifies each recording. This information at a minimum consists of the ID Number (CRN), Title and Category.

I. PROCEDURE**A. Objectives:**

1. Enhance officer safety.
2. Accurately capture statements and events during the course of an incident.
3. Enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation and presentation.
4. Provide an impartial measurement for self-critique and evaluation during field training.

5. Capture visual and audio evidence/information for use in current and future investigations.
- B. Officer Responsibilities: (CALEA 41.3.8 e)
 1. Officers under the rank of Sergeant while working “Under the Color of Law” per the authority of the SCMPD shall wear their BWC. Said Officer will activate the BWC for all incidents involving citizen contacts.
 2. Officers assigned a BWC shall fully charge their BWC system prior to their tour of duty.
 3. Inspections and maintenance of the BWC shall be the responsibility of the officer assigned that system.
 4. Only authorized personnel to whom a recording system is assigned may use, touch or handle that recording system.
 - a. Exchanging BWC system parts (including batteries) with other issued system is prohibited, unless authorized by the System Administrator(s).
 - b. Unauthorized personnel shall not use, touch or handle any recording system.
 5. If any part of the BWC is lost, broken or becomes non-functional it shall be reported to their supervisor immediately. This information will be documented on SCMPD Form 2020w, to include any troubleshoot measure used to get the BWC functional. The BWC and form will be brought to Quartermaster as soon as possible, to get device functional. (CALEA 41.3.8 e)
 - a. Quartermaster will maintain the inventory of unissued equipment and exchange damages equipment with the vendor, as needed.
 6. If the BWC connectivity to the City network becomes non-functional it shall be reported to their supervisor, Program Manager (or designee), and City IT immediately.
 7. In order to best capture that which is observed by an officer using a BWC, the camera should be located as close to the eyes as possible, using an approved Taser mounting option.
 8. At the end of an officer’s tour of duty, the recording system will be placed into the assigned docking station slot on the Evidence Transfer Station located within their assigned Pct/Unit; or, recordings shall be uploaded as otherwise directed by authorized personnel. (CALEA 41.3.8 d)
 9. The recording system should not be removed from the Evidence Transfer Station until all of the data has been uploaded and the battery has been fully charged.
 10. Any functionality or serviceability problem shall be reported to the Mobile Video System Administrator immediately.
- C. Activation and Deactivation of BWC
 1. The BWC will be activated for all incidents involving citizen contacts. This would include, but is not limited to calls for service, traffic stops, activation of emergency equipment, suspicious person(s), vehicle contacts, use of force situations, warrant service, pursuits, arrest, if a pending citizen complaint is likely or any other significant event that would require supervisory notification. (CALEA 41.3.8 b,c)

- a. Any reason for failing to activate the BWC will be reviewed by a supervisor. It must be articulable and meet the standard of being thoughtful, reasonable and prudent.
 - b. Officers are encouraged, but not required, to narrate events so as to provide the best documentation for pretrial and courtroom presentation.
 - c. With the exception of police radios, officers shall ensure that the volume from other electronic devices within the police vehicles does not interfere with the BCW recordings.
2. The BWC may be activated whenever the officer feels its use would be beneficial to his/her police duties. (CALEA 41.3.8 b)
3. Officers are encouraged, but not required to advise citizens that they are being recorded.
 - a. In deciding whether or not to advise citizens, officers should consider whether advisement is likely to better serve the handling of the incident.
4. Once the camera is activated to the “event” mode, it shall remain on until the police action is complete. (CALEA 41.3.8 b)
 - a. Just prior to deactivation of the BWC the officer will make a brief audio statement (so that it is recorded by the BWC) explaining the reason for deactivation of the BWC.
 - b. Any premature deactivation (intentional or unintentional) of the BWC during citizen encounter shall be reported to a supervisor. The supervisor will document the deactivation as a significant incident and record it in the officer’s electronic performance file. Failure of the officer to record citizen encounters may create the perception of officer misconduct. Proper documentation must be shown during times of equipment failure.

D. Fourth Amendment Notice

1. An officer who is lawfully present in an area protected by the Fourth Amendment shall activate the BWC when there is reasonable suspicion that; a crime is being committed, has been committed, or is about to be committed, or that evidence of a crime is present.
 - a. As a reminder, entry into a Fourth Amendment protected area requires probable cause and a warrant or warrant exception.
2. In the absence of such criteria, the officer must turn off the BWC if asked to do so by a person with apparent authority over the constitutionally protected area.

E. Documentation

1. The officer shall input the Meta Data to identify each recording immediately after each call or criminal investigation. All recorded evidence must have the appropriate meta data added prior to docking the BWC for upload. The Meta Data includes at a minimum:
 - a. ID Number, CRN or type “No CRN”.
 - b. Title (Same as the Incident Report “Nature of Call”)
 - c. Category (choose appropriate choice from drop down menu)

2. The Meta Data information window may be accessed by attaching the camera to any of the following devices by auxiliary cable (supplied with system) or accessing the information after it has downloaded:
 - a. Smart Phone (AXON Mobile App),
 - b. MDT (Evidence Sync), or
 - c. Pct/Unit PC (Evidence Sync)
3. When an officer activates the BWC it shall be documented in the Incident Report, Supplemental Report, Accident Report, Citations or any other written documentation required by this department, where knowledge of the activation of the BWC is pertinent.
 - a. Officers may review the BWC footage prior to documenting the incident.
 - b. In use of force incidents and prior to documenting the incident officers are authorized to review only their BWC footage and not footage generated by other officers

F. Restrictions

1. Using a mobile video recording system to take a statement in lieu of a sworn written statement, unless approved by a supervisor.
2. Video-recording undercover officers or confidential informants.
3. Duplicating or distributing recordings for other than official law enforcement purposes
4. Permitting citizens to review recordings for other than official law enforcement purposes.
5. Altering captured data.
6. Accessing recordings for other than case-related purposes, responses to resistance, formal or informal complaints, legal review, pursuant to established policy or as directed by the Chief of Police or designee.
7. Making or creating, by separate device or otherwise, a copy of any recording except as directed by the Chief of Police or designee.
8. Posting to social media sites without approval by the Chief of Police.
9. Monitoring officer performance through random review
10. Unless authorized by the Chief of Police or designee, employees will not record other employees who are performing administrative or non-enforcement activities/actions without their knowledge. (CALEA 41.3.8 c)
 - a. Examples of such administrative or non-enforcement activities/actions include, but are not limited to:
 - 1) Meetings/roll calls (strategy, tactics, etc...), supervisor directives, disciplinary actions or topics of a confidential nature are discussed.
 - b. Any violation of this section of the general order will result in disciplinary action, as directed by the Chief of Police or designee.
11. Officers utilizing audio/video recording devices will not activate or otherwise use the device to record activities in the courthouse or courtrooms without express permission of the presiding Judge or authorized court personnel.
 - a. The audio/video recording devices, if mounted or openly displayed, shall be removed from the mount or pointed in a direction so it is apparent the device is not in use.

12. In the event a recording is captured that is considered to be an invasion of privacy, personal, or sensitive in nature the officer may request to have that recording deleted. When an officer believes such an event has occurred the following procedures will be followed:
 - a. The recording will be reviewed by appropriate Commander Staff personnel to ensure there is no evidentiary value to the recording, possibility of a citizen complaint related to the recording or policy violations has occurred that is related to the recording.
 - b. Once it has been determined none of the above applies the Commander Staff person will forward an e-mail to the BWC Administrator requesting the recording to be deleted as soon as possible.
 - c. The BWC Administrator will delete the recording and document the justification for the deletion of the recording.

G. Dissemination

1. Evidence.com's digital records are accessible only to authorized personnel.
 - a. The system maintains an audit of user activity.
2. All digital media collected using the mobile video recording systems is public record as defined in O.C.G.A.
 - a. Public records requests shall be handled pursuant to ADM-003 Public Records.
3. Accessing, copying, or releasing any recordings for other than official law enforcement purposes is strictly prohibited, except as required by law.
4. Only the following will be granted duplication rights, as authorized the Chief of Police (or designee):
 - a. Mobile Video System Administrator(s) - (for training purposes)
 - b. Specific personnel within the Criminal Investigation Division (CID), to be identified by the CID Bureau Commander.
 - c. Specific personnel within the Internal Affairs Unit, to be identified by the Internal Affairs Commander
 - d. Specific personnel within the District Attorney's Office, to be authorized by Chief of Police (or designee).

H. Retention (CALEA 41.3.8 d)

1. Recordings shall be retained as established in Georgia public records retention laws, federal, state or local laws.
2. Retention lengths will be displayed in the drop down menu of Category section of the Meta Data.

I. Supervisor Responsibility

1. Supervisors shall review and include BWC footage in the course of their investigation as it relates to any citizen complaint, pursuits or use of force incident.

J. Random Review of Captured Video Data (CALEA 41.3.8 g)

1. At a minimum every first line supervisor assigned in each Precinct/Unit that is issued BWCs will be authorized administrative rights for review purposes.

2. Each Precinct/Unit with BWCs is separated into individual groups within the Mobile Video Recording system.
 - a. Each Precinct/Unit is responsible for reviewing their group's videos.
3. The review will adhere to the following time constraints and process. The review:
 - a. Will be done weekly.
 - b. Will consist of a minimum of 3 videos each week by each first line supervisor assigned in each Precinct/Unit that is issued BWCs.
 - (1) These videos should be by category (Traffic Stops, Domestics, Citizen Contacts, etc.) and the category should vary from week to week.
 - c. Will follow a 1:10 ratio (1 video for every 10 recorded and the ratio must be consistent, meaning it must be the every 10th video).
4. The random review will be documented in Guardian Tracking. At a minimum the following information will be completed:
 - a. Category – “Body-worn camera audit”
 - b. Employees – Name of officer who recorded the video.
 - c. Occurred – The Date that the video was reviewed.
 - d. Reason for Review – Random, Use of Force, Admin Review, or Other
 - e. URL – Uniform Resource Locator (aka. Web Address). Copy and paste it from the Evidence.Com video web page being reviewed.



- f. Body – Also paste the URL here. Used to document all other pertinent information related to the video being reviewed.
5. Any video which contains criminal violations by SCMPD personnel will be immediately brought to the attention of the viewer's Chain of Command.
 - a. Those videos that contain policy violation will be handled appropriately.
 - b. Those videos that could be used for training purposes will be brought to the attention of the Training Unit.

K. Mobile Video System Administrator(s)

1. The Mobile Video System Administrator(s) is responsible for overall maintenance, management, training and retention, and acts as a liaison to City of Savannah's IT Department, CID/Forensics Unit and associated vendors. The Mobile Video System Administrator reports to the Special Operations Division Commander.
2. The Mobile Video System Administrator(s) is also responsible for ensuring that the BWC program, as well as this policy, is reviewed annually (at a minimum) to ensure that it meets Departmental needs, public expectations and current legislative rulings.

L. Training

1. The Training Unit will be responsible for training and the issuing of the Body Worn Camera system.
2. Officers shall be trained and instructed prior to being assigned a Body Worn Camera system. (CALEA 41.3.8 f)
 - a. After receiving the training and the Body Worn Camera System the receiving officer is no longer permitted to utilize personally owned equipment that performs a similar function as the BWC, while in the performance of their duties.
3. All supervisors will receive training and instructions on the Body Worn Camera system. (CALEA 41.3.8 f)

This Order supersedes and replaces all other written directives issued prior to the last revision date, pursuant to Body Worn Cameras.

BY ORDER OF:

**Joseph H. Lumpkin Sr.
Chief of Police**